

Amendment and Response

Applicant: Craig D. Sunada et al.

Serial No.: 10/016,746

Filed: Oct. 30, 2001

Docket No.: 10991022-8

Title: INNER PAPER GUIDE FOR MEDIA SHAPE CONTROL IN A PRINTER

REMARKS

This Amendment is responsive to the Office Action mailed January 13, 2004 in which Claims 27 and 29-46 were rejected and claims 28 and 47-50 have been objected to. Claim 37 has been cancelled. With this Response, claims 28-30, 32, 35, 36, 38-41 and 43-47 have been amended. Claims 27-36 and 38-50 remain pending in the application and are presented for reconsideration and allowance.

Claim Objections

Claims 28 and 29 are objected to because of the following informalities: the phrase "the distance" lacks antecedent basis. Claim 28 has been amended to clarify the antecedent basis for the phrase, and since claim 29 depends on 28, it is also clarified. Thus, withdrawal of the objection is respectfully requested.

Claim Rejections under 35 U.S.C. § 102 and § 103

Claims 27, 30, 32, 35-41, and 44-46 are rejected under 35 U.S.C. 102(b) as being anticipated by Murayama (EP 0816107 A2). Applicant submits that the Murayama reference fails to disclose the invention of independent claim 27.

Murayama fails to disclose a first guide structure **longitudinally extending continuously** from a pick roller structure to a drive roller structure. The Examiner incorrectly concluded that a first guide structure (80a) longitudinally extends continuously from a pick roller structure to a driver roller structure. Instead, as depicted in Figure 1, a substantial gap exists between paper feeding rollers (20) and upper guide (80a). Consequently, **Murayama fails to disclose a longitudinally extending continuous structure that constrains the movement of a trailing edge of a media sheet as the trailing edge leaves the pick roller structure**, since it includes a substantial gap.

Accordingly, Applicant respectfully requests that the above rejection of 35 U.S.C. § 102(b) should be withdrawn.

The remaining claims rejected under 35 U.S.C. § 102(b), claims 30, 32, 35-41 and 44-46, have been amended to incorporate limitations in base claims as discussed below, the rejection should be withdrawn.

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Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Murayama. Also, claims 31, 33, 34, 42, and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Murayama in view of Walker U.S. Patent No. 5,940,106. All of these claims either have been amended to incorporate limitations in base claims or depend on such amended claims, and therefore the rejections should be withdrawn.

Allowable Subject Matter

The Examiner indicated that claims 28 and 47-50 were objected to but would be allowable if rewritten to include the limitations of the base claim. Claim 28 has been rewritten to incorporate the limitations of the base claim 27, and claim 47 has been rewritten to incorporate the limitations of base claim 37. The amendments to claims 28 and 47 are non-narrowing amendments and do not alter the scope of these claims. In particular, the amendment to claim 28 merely puts the claim in independent form and corrects a typographical error. The amendment to claim 47 merely puts the claim in independent form.

Claims 29-30, 32, 35, 36, 38-41, and 43-46 have been amended to now depend on one of either amended claim 28 or amended claim 47. Consequently, these dependent claims are allowable over the art of record.

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CONCLUSION

In view of the above, Applicant believes independent claims 27, 28 and 47 and the claims depending therefrom, are in condition for allowance. Allowance of these claims is respectfully requested.

Any inquiry regarding this Amendment and Response should be directed to either Robert D. Wasson at Telephone No. (360) 212-2338, Facsimile No. (858) 655-5859 or Steven E. Dicke at Telephone No. (612) 573-2002, Facsimile No. (612) 573-2005. In addition, all correspondence should continue to be directed to the following address:

Hewlett-Packard Company
Intellectual Property Administration
P.O. Box 272400
Fort Collins, Colorado 80527-2400

Respectfully submitted,

Craig D. Sunada et al.,

By their attorneys,

DICKE, BILLIG & CZAJA, PLLC
Fifth Street Towers, Suite 2250
100 South Fifth Street
Minneapolis, MN 55402
Telephone: (612) 573-2002
Facsimile: (612) 573-2005

Date: April 13, 2004
SED:jan

Steven E. Dicke
Steven E. Dicke
Reg. No. 38,431

CERTIFICATE UNDER 37 C.F.R. 1.8: The undersigned hereby certifies that this paper or papers, as described herein, are being deposited in the United States Postal Service, as first class mail, in an envelope address to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 13 day of April, 2004.

By Steven E. Dicke
Name: Steven E. Dicke